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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/502,494	07/23/2004	Axel Hinz	PC10335US	5683
23122	7590	03/02/2006	EXAMINER	
RATNERPRESTIA P O BOX 980 VALLEY FORGE, PA 19482-0980			KRAMER, DEVON C	
			ART UNIT	PAPER NUMBER
			3683	
DATE MAILED: 03/02/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/502,494

Applicant(s)

HINZ ET AL.

Examiner

Devon C. Kramer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) 1-12 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 27-32 is/are allowed.
- 6) ☐ Claim(s) 13-23 25-26 is/are rejected.
- 7) ☒ Claim(s) 24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1) The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2) Claims 13-23 and 25-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Zaviska (6102495).

In re claim 13, Zaviska provides a hydraulic unit comprising: an accommodating member (3) accommodating inlet and outlet valves (2, 2') in several valve accommodating bores of a first and second valve row (x, y), said valves opening into a first housing surface of the accommodating member that is disposed at right angles between a second and third housing surface, a pump accommodating bore (7) arranged in the accommodating member and pointing transversely to the direction the valve accommodating bores open into the accommodating member, a motor accommodating bore (8) arranged in the accommodating member for driving a pump inserted into the pump accommodating bore, to what end the motor accommodating bore is aligned transversely to the pump accommodating bore, at least one accumulator (9) accommodating bore opening into the accommodating member into the second housing surface, several pressure fluid channels (4, 16, 5) that connect the valve-, pump- and accumulator accommodating bores and are adapted to provide a hydraulic connection between a pressure fluid generator and at least one pressure fluid receiver, including a

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ventilation system (16, 17) that permits ventilating and venting the pump- and accumulator accommodating bore for pressure compensation exclusively by way of one single ventilation point that is in connection to a pressure compensating channel of the ventilation system, wherein the pressure-compensating channel extends transversely to the motor- and pump accommodating bore from the second housing surface through the motor accommodating bore in the direction of the third housing surface in the accommodating member positioned diametrically to the second housing surface.

In re claim 14, Zaviska provides a first pressure compensation channel portion (13).

IN re claims 15-17, 22, 25-26, see figure 4.

In re claim 18, see col. 2 line 34.

In re claim 19, see col. 4 line 59.

In re claim 20, see element 16, figure 3.

In re claim 21, please note that these features are inherent to the design of Zaviska.

In re claim 23, see element 26.

Allowable Subject Matter

3) Claims 27-32 are allowed.

4) Claim 24 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

5) Applicant's arguments filed 12/21/05 have been fully considered but they are not persuasive. Applicant states the Zaviska fails to teach a ventilation system for ventilating and venting a pump and accumulator accommodating bore for pressure compensation. Please note that the ventilation line 16 vents the system, this line provides a venting point for both the accumulator bore and the pump bore. This line is not directly connected to the pump bore or the accumulator bore, but it provides the ventilation indirectly. Passage 16 is a single ventilation point. Bore 13 extends between the motor bore (8) through the pump bore and a cover closing the accumulator bore.

6) THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

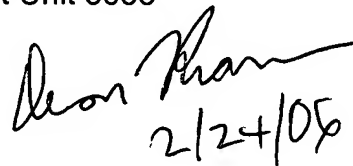
7) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devon C. Kramer whose telephone number is 571-272-7118. The examiner can normally be reached on Mon-Fri 8-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James McClellan can be reached on (571)272-6786. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Devon C Kramer
Primary Examiner
Art Unit 3683

DK


2/24/05